

NOV 07 2017

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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
DANVILLE DIVISION

UNITED STATES OF AMERICA

Case No. 4:15-cr-00016-1

v.

ORDER

GORDON LAWRENCE PENN,  
Petitioner.

By: Hon. Jackson L. Kiser  
Senior United States District Judge


In accordance with the accompanying Memorandum Opinion, it is hereby

**ORDERED**

that the conditionally filed motion to vacate, set aside, or correct sentence pursuant to 28 U.S.C. § 2255 is **DISMISSED without prejudice**; a certificate of appealability is **DENIED**; and the action is **STRICKEN** from the active docket.

The Clerk shall send copies of this Order and the accompanying Memorandum Opinion to the parties.

ENTER: This 7<sup>th</sup> day of November, 2017.

  
Senior United States District Judge